

REMARKS

This communication is submitted to improve the form of the claims presented for initial examination on the merits and to reply to the election requirement set forth in the Office Action mailed April 5, 2001. The period for reply to the Office Action mailed April 5, 2001 is extended to June 5, 2001 by virtue of a petition and fee for a one-month extension of time filed concurrently herewith.

By way of the present Amendment, Applicants amend claims 1-5, 8-10, and 12. The changes to claims 1-5, 8-10 and 12 are intended to improve the form of the claims and are not submitted in response to any issue pertaining to patentability.

In reply to the election requirement, Applicants provisionally elect, with traverse, the species of Figs. 8a, 9a in combination with a the coded attachment of a closure cap as set forth at page 10, lines 17-19 and page 22, lines 23-26. Claims 1-4, 6-11, and 13-18 read on the elected species. Of those claims, claims 1, 6, 7, 8, 13, 14 and 16 are believed to be generic with respect to the elected species.

In support of the traversal of the election requirement, Applicants first submit that the separate grouping of Figs. 8a and 9a is contrary to that adopted in the parent application, Serial No. 09/348,038, now U.S. Patent No. 6,186,363. Specifically, in the Office Action mailed March 15, 2000, the Office acknowledged that the embodiments of Figs. 8a and 9a are drawn to the same species. Accordingly, it is respectfully submitted that at least the separate grouping of Figs. 8a and 9a is improper.

Second, it is respectfully submitted that in light of the prosecution of preceding related applications, little or no additional burden is presented by examination of all the currently pending claims.

Specifically, with respect to independent claim 1, it is noted that related issued patent No. 5,918,772 ("the '772 patent) includes claims drawn to a cartridge for a mixer that includes, among other elements, "a coding element that permits said outlets of said chambers to be aligned and connected to the respective inlets of the mixer in only one orientation." See independent claim 20 of '772 patent. Consistent with the description set forth at page 10 , lines 17-19, which indicates that the system for coded attachment of a mixer also allows for coded attachment of closure caps, independent claim 1 of the present application is drawn to a cartridge with a closure member having a coding element.

With respect to independent claim 8, it is noted that parent patent No. 6,186,363 ("the '363 patent") includes claims drawn to a dispensing device that includes, among other elements, a cartridge, a mixer, and complementary coding elements formed on the cartridge and the mixer. Independent claim 8 recites those elements, as well as a closure member that includes a coding element configured in the same manner as the mixer to connect the closure member to the cartridge in only one orientation. Support for this claim is also found at page 10, lines 17-19, for example.

Independent claim 14 corresponds to claim 5 of the '363 with the addition of a closure member for closing the cartridge when detached from the mixer. Dependent claims 15 and 16 correspond respectively to claims 6 and 7 of the '363 patent.

In light of the previous examination of the '772 patent and the '363 patent, to which patents the present application claims priority, it is respectfully submitted that no undue burden is imposed on the Examiner in connection with examination of the present claims.

Prompt and favorable consideration of this application in light of the foregoing amendments and remarks is earnestly solicited.

Respectfully submitted,

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**In The Claims**

Please amend claims 1-5, 8-10 and 12 as follows:

1. (Amended) A cartridge for a mixer, the mixer having a plurality of inlets, the cartridge comprising:

a plurality of chambers each having an outlet for engagement with the inlets of the mixer;

a bayonet coupling on said cartridge for detachably connecting said cartridge to the mixer;

a closure member for closing said cartridge when detached from the mixer, said closure member having a plug for each said outlet and having coding [means] elements for coded introduction into and attachment to said bayonet coupling of said cartridge.

2. (Amended) A cartridge according to claim 1, wherein said coding [means comprises] elements comprise at least two bayonet lugs of different widths.

3. (Amended) A cartridge according to claim 1, wherein said outlets [of said mixer] are dissimilarly sized.

4. (Amended) A cartridge according to claim 1, wherein said outlets [of said mixer] are dissimilarly shaped.

5. A cartridge according to claim 1, wherein said coding [means of the closure member comprises] elements comprise visual alignment means.

8. (Amended) A dispensing device, comprising:

a cartridge including a plurality of chambers each having an outlet and a first bayonet coupling;

a mixer including a housing with a plurality of inlets corresponding in number to the outlets, each inlet being configured to engage a respective one of said outlets, a mixer element disposed in said housing, and a second bayonet coupling complementary

with said first bayonet coupling of said cartridge, said first bayonet coupling being detachable from said second bayonet coupling and together forming a detachable bayonet assembly; [and]

a closure member for closing said cartridge when detached from the mixer, said closure member having a plug for closing each said outlet [and having coding means for coded introduction into and attachment to said first bayonet coupling of said cartridge];  
and

complementary coding elements formed on said cartridge and said mixer to permit said inlets of said mixer to be aligned with and connected to the respective outlets of said cartridge in only one orientation;

wherein said closure member includes coding elements configured in the same manner as the mixer to connect with the cartridge in only one orientation.

9. (Amended) A dispensing device according to claim 8, wherein said outlets are of different size relative to each other and said respective inlets are configured to conform thereto[, whereby said outlets and said inlets form complementary coding elements on said cartridge and mixer, said coding elements permitting said inlets of said mixer to be aligned and connected to the respective outlets of said cartridge in only one orientation].

10. (Amended) A dispensing device according to claim 8, wherein said outlets are of different shape relative to each other and said respective inlets are configured to conform thereto[, whereby said outlets and said inlets form complementary coding elements on said cartridge and mixer, said coding elements

permitting said inlets of said mixer to be aligned and connected to the respective outlets of said cartridge in only one orientation].

12. (Amended) A dispensing device according to claim 8, wherein said coding [means] element comprises visual alignment means.